

MINUTES OF MEETING OF MAYOR AND CITY COUNCIL HELD
SEPTEMBER 19, 2016

WORK SESSION

The Mayor and Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 5:00 p.m. on September 19, 2016 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem Gene Aycock
Councilmember Antonio Williams
Councilmember Bill Broadaway
Councilmember Mark Stevens
Councilmember Bevan Foster
Councilmember David Ham
Ron Lawrence, Attorney
Scott Stevens, City Manager
Melissa Corser, City Clerk
Randy Guthrie, Assistant City Manager
Jimmy Rowe, Planning Director
Tracie Davis, Communications and Marketing Director
Kaye Scott, Finance Director
Jennifer Collins, Assistant Planning Director
Faye Caviness, Human Resources Director
Jose Martinez, Public Works Director
Scott Barnard, Parks & Recreation Director
Felicia Brown, Assistant Parks & Recreation Director
Mike West, Police Chief
Gary Whaley, Fire Chief
James Farfour, Assistant Fire Chief
Bobby Croom, Traffic Engineer
Scott Williams, IT Director
Allen Anderson, Chief Building Inspector
Karen Brashear, Public Utilities Director
Shycole Simpson-Carter, Community Relations Director
Sherry Archibald, Paramount Theatre Director
Marty Anderson, City Engineer
Rochelle Moore, Goldsboro News-Argus
Lonnie Casey, Citizen
Bobby Mathis, Citizen
Della Mathis, Citizen
Lillie Jones, Citizen
Annette Butts, Citizen
Malcom Sutton, Citizen
Cheryl Alston, Citizen
Yvonnia Moore, Citizen
Christian Dumond, Citizen

Call to Order. The meeting was called to order by Mayor Allen at 5:00 p.m.

Invocation. The invocation was provided by Councilmember Broadaway.

Bond Discussion - Streets. Mr. Stevens stated we were trying to give you some streets to consider for the first phase of the project, it would not commit the entire \$7 million and we have not identified dirt streets beyond the one previously approved. Mr. Marty Anderson presented a proposed phase 1 street bond resurfacing list for Council to review. Council discussed and requested additional time to review the proposed listing. Mr. Stevens stated he would like Council to consider continuing the meeting before September 28th so that we can have the listing approved for the citizen's newsletter we would like to include in the utility billings.

Bond Discussion – Multi-Sports Complex. Mr. Scott Barnard reviewed a site plan of the proposed Multi-Sports Complex and discussed what impact approval of the bond could have on the project. Funding in the amount of \$4,000,000 is available, but an additional \$3,000,000 is needed to improve field and facility quality for the initial opening. If the bond referendum is not approved, the fields will be built in phases and/or improved over time.

Council discussed types of fields, costs including maintenance and additional staff that would be needed.

Bond Discussion – Communication Plan. Ms. Tracie Davis shared the following information:

NC General Statutes

- **160A-499.3. Limitation on the use of public funds.**

A municipality shall not use public funds to endorse or oppose a referendum, election or a particular candidate for elective office. (2010-114, s. 1.5(b).

- **§ 160A-169. City employee political activity.**

(a) Purpose. The purpose of this section is to ensure that city employees are not subjected to political or partisan coercion while performing their job duties, to ensure that employees are not restricted from political activities while off duty, and to ensure that public funds are not used for political or partisan activities. (2010-114, s. 1.5(b).

2016 Bond Referendum

Public Education Campaign

- Frequently Asked Questions
 - What is a bond referendum?
 - Why issue General Obligation Bond?
 - For what purpose will the bond funds be used?
 - What are the specific bond packages?
 - Why is this important?
 - Exactly what am I voting for? Will this increase the tax rate?
 - Can I vote for one bond issue but not the other?
 - What happens to the projects if the Bond does not pass?
 - How do I vote?
- Citizens Newsletter
- Bond Referendum Portal on the City’s Website
 - FAQ’s
 - Sample Ballot
 - Project Description and Maps
- Social Media
 - Facebook
 - Twitter
 - YouTube
- WGTV
 - Informational Video
 - Interviews

Councilmember Williams welcomed Ms. Davis. He asked if she would be assisting them with getting signage in neighborhoods to educate our young people. Ms. Davis replied she would be available to assist.

Former WA Foster Center Discussion. Mr. Scott Barnard shared the following information regarding the former WA Foster Center building.

- | | |
|----------------------|------------------|
| • Asbestos Abatement | \$ 40,000 |
| • HVAC | \$ 52,000 |
| • Roof Repairs | <u>\$ 40,000</u> |
| • Total | \$132,000 |
-
- Demolition and Asbestos Abatement \$ 59,500

Mr. Barnard stated if we pursue the sale of the building we will need to at least address the asbestos abatement. He stated none of this addresses concerns with ADA, aesthetics, the functionality of any of the fixtures, amenities, etc.

Council discussed costs, potential sale of the property and grant opportunities.

Mayor Allen asked Ms. Scott to provide operational costs and asked if staff would setup a meeting with those interested in discussing the building.

Cover Agenda. Each item on the cover agenda was generally discussed. Additional discussion included the following:

Upon motion of Mayor Pro Tem Aycock, seconded by Councilmember Williams and unanimously carried, Council recused Mayor Allen from Item J. Z-4-16 due to a conflict of interest.

Mayor Allen left the room at 5:58 p.m.

Item J. Z-4-16 David Perry – West side of North George Street between Vine Street and Holly Street (General Business to Office and Institutional-1). Upon motion of Councilmember Ham, seconded by Councilmember Stevens and unanimously carried, Council removed Item J. Z-4-16 from the Consent Agenda and placed it under Items Requiring Individual Action.

Mayor Allen returned to the room at 6:00 p.m.

Crisis Center. Mayor Allen shared a funding request of \$5,000 from the Crisis Center. Council discussed and approved the funding request.

Community Meetings. Mr. Stevens shared information regarding a meeting Community Relations held in the Slocumb Street area. Residents shared the bus quits running there between 5 and 6. Staff is working with GWTA to extend the hours for the Blue and Purple bus routes.

Councilmember Foster stated he received several calls from residents in the area that were unaware of the community meeting and asked how we could better advertise. Ms. Simpson-Carter stated the meeting was geared towards those residents who use Brookside Market. A notice was published and flyers were provided to the property managers, it was also posted on the City's website. Councilmember Foster stated he was not notified. Mr. Stevens stated we would do better in making Council aware of community meetings.

DGDC Council Representative. Councilmember Williams stated when appointments were made to the DGDC Board of Directors we agreed to review the appointment in six months. He stated he felt he could really be an asset to the board.

Closed Session Held. Upon motion of Mayor Pro Tem Aycock, seconded by Councilmember Broadaway and unanimously carried, Council convened into Closed Session to discuss a potential litigation matter.

Council came out of Closed Session.

There being no further business, the work session adjourned.

CITY COUNCIL MEETING

The Mayor and Council of the City of Goldsboro, North Carolina, met in regular session in Council Chambers, City Hall, 214 North Center Street, at 7:00 p.m. on September 19, 2016 with attendance as follows:

Present: Mayor Chuck Allen, Presiding

Mayor Pro Tem Gene Aycock
Councilmember Antonio Williams
Councilmember Bill Broadway
Councilmember Mark Stevens
Councilmember Bevan Foster
Councilmember David Ham

The meeting was called to order by Mayor Allen at 7:00 p.m.

Pastor Jonathan Smith with Freedom Baptist Church provided the invocation.
The Pledge to the Flag followed.

Public Comment Period. Mayor Allen opened the public comment period. The following people spoke:

1. George Williams, 203 Rand Road, Goldsboro, shared they had an outstanding turnout for the dinner held for law enforcement last Thursday. We served approximately 135 officers and had a tremendous time doing it. We had not planned for dessert but we had a gentleman call who said he would like to take care of the desserts for all the officers, Mr. Jerry Ray, Mickey's Pastry Shop. We raised enough funds for next year. Mr. Williams stated they had some barbeque left over so after the event they took it to Kitty Askins for all the families visiting there. McCalls did an outstanding job. Mr. Williams stated they are going to make it an annual event and he appreciated the opportunity. Thank you.

Mayor Allen stated on behalf of our citizens, our police, our sheriff, thank you and your group for what you did. It does mean a lot to our law enforcement. He stated he spoke with the Chief while he was there and later that evening with the Sheriff and they also shared it was a great event. Mayor Allen stated we really do appreciate it, it means a lot to us.

Mr. Williams also shared local businesses provided (60) \$25 gift cards for door prizes.

2. Country Holmes stated he represents a group called Inspiring Hope and he wanted to ask a question. If you are 18 years old and graduated from one of these schools here and you go to this temporary place to get a job and they tell you, you need (6) months of experience in a warehouse or manufacturing how can you get this job when you cannot get that job. That's what we are faced with. Mr. Holmes stated he lives in this community, born and raised, sees the crime, sees what is going on, and feels like we have to come together and try to find some kind of funding to start redirecting some of the things we have, so it will not continue. In a (25) miles radius, you know the people who are going to give you trouble and cause the trouble and in that 25 mile radius you are going to get those people reoccurring so the only way to change that is to come together, put our heads together come up with some funding to show some people there is a different way. Mr. Holmes stated he brought a young man with him who wants a job, has put in 20 applications and no phone calls. This is what I am saying. People say we don't want to work, we do not want to do the positive things, but if you do not have a little help to make that step. Mr. Holmes stated he believes it can happen, we can change Goldsboro but we have to put our heads together, get some industry in here and start looking out for each other, breaking bread together, where when I invite you to come to my house, Mr. Chuck Allen, you know me personally. That's where we break that bread and start understanding it is the small things that people need in this community. People are hungry and starving. Mr. Holmes stated you have kids going to school where teachers are bringing these kids food, because they do not have anything to eat at home. You have the teachers who are stressed out because they do not have the funds to take care of these kids. So what can we do as a community to come together, start raising money, start putting some funds together so the people who want to work, that can't get to

work, come up with transportation to get them to work. You have Gateway, but it costs \$8 to go one way and \$8 to get you back. If you do that all week and you only make \$150, your paycheck is gone. We are crying out for a change. Mr. Holmes stated if y'all are willing to work with Inspiring Hope that is what I will do. He stated he just wants to see a change in Goldsboro and we can do this together.

Mayor Allen stated we have conversations weekly, Ms. Shirley Edwards was in my office last week talking about the same thing. We do need some type of jobs program. It is easier said than done obviously so it is something we need to work on. He asked Mr. Holmes to leave his number with the City Clerk so he could be included in the conversations. Mayor Allen thanked Mr. Holmes.

3. Lisa Michelle Wiggins, 705 Weaver Drive, Goldsboro, stated she would like to speak on behalf of Dr. Patrick Gallagher. Mayor Allen asked Ms. Wiggins to wait until the public hearing.
4. Everlana Eason, 294 E. Ash Street, Goldsboro, stated they will be holding their second prayer walk. She thanked those who attended the first prayer walk, it was a success. The second one is "Justice for Tia" as her killer is still at large so on behalf of the Maddox family we are holding a second prayer walk this Saturday. We are asking each of you to come out and join us. The last one was a success but we are looking for more support, numbers mean a lot. Ms. Eason stated if we come together in numbers, she believes in her heart things will change. This family is still hurting, there are more out there that are hurting as well. On behalf of the Maddox Family we invite you to attend, it's a 9:00 am this coming Saturday beginning at Dillard Middle School.

No one else spoke and the Public Comment Period was closed.

Resolution Expressing Appreciation for Services Rendered by Robbie Jones as an Employee of the City of Goldsboro for More Than 28 Years. Resolution Adopted. Robbie Jones retires on October 1, 2016 as a Corporal in the Goldsboro Police Department of the City of Goldsboro with more than 28 years of service. Robbie began his career on April 6, 1988 as a Police Officer with the Goldsboro Police Department. On August 23, 1999, Robbie was transferred to School Resource Officer with the Goldsboro Police Department. On July 27, 2004, Robbie was transferred to Warrants Officer with the Goldsboro Police Department. On June 4, 2008, Robbie was promoted to Police Corporal in the Goldsboro Police Department where he has served until his retirement. Robbie has given his time to the students of Goldsboro as a leader of the G.R.E.A.T. Program, encouraging students and building relationships between law enforcement and the community. Robbie has proven himself to be a dedicated and efficient public servant who gained the admiration and respect of his fellow workers and the citizens of the City of Goldsboro. The Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, the other City officials and employees and the citizens of the City of Goldsboro, of expressing to Robbie Jones their deep appreciation and gratitude for the service rendered by him to the City over the years. The Mayor and City Council of the City of Goldsboro, North Carolina express to Robbie Jones our deep appreciation and gratitude for the dedicated service rendered during his tenure with the City of Goldsboro and offer Robbie our very best wishes for success, happiness, prosperity and good health in his future endeavors.

Upon motion of Mayor Allen, seconded by Councilmember Ham and unanimously carried Council adopted the following entitled Resolution.

RESOLUTION NO. 2016-69 "RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY ROBBIE JONES AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 28 YEARS"

Chief West stated Cpl. Robbie Jones was with the department when he was hired. He stated he came on Robbie's shift and remember them telling him he would be my FTO

and saw some eye rolling. Chief West stated he holds Cpl. Jones somewhat responsible to some point for his career. Every time I have ever talked to him or been around him he has always been positive. When he talked to people I would listen, Cpl. Jones has said a lot of things that helped throughout my career and I greatly appreciate it. The students in the GREAT Program and the GREAT Program will miss him tremendously. The entire department is going to miss you tremendously. Chief West congratulated Cpl. Jones on 28 years of what he considers perfect years of service to the Police Department. You will truly be missed. Chief West stated I really do appreciated it.

Mayor Allen stated Cpl. Jones was awesome in the GREAT Program. Those kids loved him. It is amazing what this officer can do. Mayor Allen stated he did not know what the GREAT Program would do without him but we will figure it out. We will surly miss him and the kids are really going to miss him.

Cpl. Jones thanked Chief West and Mayor Allen for those words. Cpl. Jones stated you see him and Cpl. McDuffie teaching class and for those who do not know we have the help of Sgt. Learnard, Major Carmon, the Chief, City Council who backs the program and give me the confidence to do it. That makes it all worthwhile. I know you see me and Cpl. McDuffie out doing stuff but the real work is them. We appreciate that because this program could not be without them. Thank you.

Resolution Expressing Appreciation for Services Rendered by Ronald McDuffie as an Employee of the City of Goldsboro for More Than 12 Years.
Resolution Adopted. Ronald McDuffie retires on October 1, 2016 as a Corporal in the Goldsboro Police Department of the City of Goldsboro with more than 12 years of service. Ronald began his career on February 4, 2004 as a Police Officer with the Goldsboro Police Department. On June 4, 2008, Ronald was promoted to Crime Scene Specialist with the Goldsboro Police Department. Beginning on February 9, 2011, Ronald served the Crime Prevention Unit as a Police Corporal in the Goldsboro Police Department where he has served until his retirement. Ronald has given his time to the students of Goldsboro as a leader of the G.R.E.A.T. Program, encouraging students and building relationships between law enforcement and the community. Ronald has proven himself to be a dedicated and efficient public servant who gained the admiration and respect of his fellow workers and the citizens of the City of Goldsboro. The Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, the other City officials and employees and the citizens of the City of Goldsboro, of expressing to Ronald McDuffie their deep appreciation and gratitude for the service rendered by him to the City over the years. The Mayor and City Council of the City of Goldsboro, North Carolina express to Ronald McDuffie our deep appreciation and gratitude for the dedicated service rendered during his tenure with the City of Goldsboro and offer Ronald our very best wishes for success, happiness, prosperity and good health in his future endeavors.

Upon motion of Mayor Allen, seconded by Mayor Pro Tem Aycock and unanimously carried Council adopted the following entitled Resolution.

RESOLUTION NO. 2016-70 “RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY RONALD MCDUFFIE AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 12 YEARS”

Chief West stated Cpl. McDuffie is another great officer. Cpl. McDuffie was the straight man in crime prevention. Cpl. Jones was the one who would cut up and be a comedian. Cpl. McDuffie played it straight and helped them at times. Chief West stated he never heard Cpl. McDuffie complain when he was moved. I appreciated Cpl. McDuffie’s service to the department and the community. He did an exceptional job. Chief West stated if there is anything he can do for Cpl. McDuffie or Cpl. Jones to please let him know.

Mayor Allen stated Cpl. McDuffie did an awesome job with the GREAT Program. You could walk in the gym and see the kids loved these two officers, they had their hearts and you had their hearts. We really appreciated your efforts.

Proclamation – Make a Difference Hunger Awareness Week. Mayor Allen proclaimed September 26-30, 2016 as “Make A Difference Hunger Awareness Week” in the City of Goldsboro, North Carolina, and urge all citizens to show their support for the Make A Difference Food Pantry and Hunger Awareness nationwide.

Mayor Allen presented Ms. Kenzie Hinson with a copy of the Proclamation.

Mayor Allen asked Kenzie how old she was and Kenzie replied 12. Mayor Allen stated that is awesome! Mayor Allen thanked and congratulated her in her efforts. As everyone knows, it is a huge issue. Mayor Allen stated he has read a lot about Kenzie’s efforts, you are an awesome young lady and if we can do anything to help, let us know.

Ms. Hinson thanked Mayor Allen for helping her help others.

Wayne Action Group for Economic Solvency (WAGES). Ms. Shirley Edwards stated she is providing Council a copy of the 50th Anniversary booklets. She stated over 50 years ago they started an anti-poverty agency, Wayne Action Group for Economic Solvency (WAGES). We declared war on poverty. We understand the problems associated with poverty and the effect of persons living in poverty. The leadership desired to give people a hand up not a hand out and since its inception WAGES has helped to provide comprehensive services to society’s most vulnerable citizens. Over the years services have increased and yet the realization remains clear; education, job training, family supports are keys to success for all citizens. Tonight we present you with our 50th Anniversary booklet so that you know the role the agency plays. The role we continue to play for many, many years, even after I am gone. I have worked in this role as a volunteer or WAGES for 38 years and will continue to work until Jesus comes.

Ms. Edwards shared they have had (3) directors since its inception, Bryan Sutton, Marlee Rae, and tonight I would like to introduce you to the new Executive Director, Patricia Beier. She is a product of WAGES, she was a Head Start child, she went away, she trained, and she came back. She was over the Head Start Program, she is recognized nationally and internationally for her work, but she stayed local. That is what we would love to do with some of our young people who get the credentials to stay local and make it a better place. Ms. Edwards stated she is just overjoyed that we could select Patricia to head the agency and lead it into the future. We hope to continue our work in the community. Ms. Edwards stated I believe we are the longest standing nonprofit in the community, a group that works for this goal, we want to work with some of those that are upstarting, and we want to work with the City Council and County Commissioners. We want to change the focus of this community. We have been doing it for nearly 51 years. Poverty will not go away, we know that, but we want to continue to do the job, we are working hand in hand with you. Thank you.

Mayor Allen stated on behalf of all our citizens, he cannot think of one group that does anymore for our community than WAGES from children to elderly, poverty, and all the things you touch. WAGES touches all of us.

Councilmember Broadway stated he would hope everyone at some point in time would run a route for Meals on Wheels. Councilmember Aycock and I do and if you really want to see and feel good about this community you will see what that simple hot meal and a friendly face does.

M. Edwards stated I would invite you to come see our children, see how we are transforming their lives, lifting them and the entire family. When we send them off to public school, they are at grade level and exceeding. We are recognized exceptionally. We are the longest running, one of the only community action groups that has a long run standing. We have a stellar record with the management of our money. We want to do a good role, I believe and know we have done one. We hope to continue with your support.

Ms. Patricia Beier thanked Ms. Edwards for the gracious introduction about the legacy of WAGES. Ms. Beier stated I am very proud to be a part of the organization and proud to

be a product of WAGES as well. Just to give a couple of facts, WAGES is one of the largest employers in Wayne County, we employ close to 200 people and we bring in nearly \$10 million of funding into our local economy. We are the longest running non-profit and the largest non-profit in Wayne County. We are proud of that history and legacy and continue to serve with success. We look forward to working with you.

Ms. Edwards stated we will collaborate with anyone who wants to partner with us. We have many collaborative partnerships and we are proud of our partnerships. Thank you.

Z-5-16 Heights Solar Farm, LLC – West side of Thoroughfare Road between Central Heights Road and the Norfolk-Southern Railroad. Public Hearing Held.
The applicant requests a change of zone from R-16 Single-Family Residential to R-20A Residential Conditional District to limit the use of the property to a solar facility. Development plans detailing the project would have to be approved in conjunction with the rezoning request.

Frontage:	515 ft.
Depth:	2,000 ft. (approximately)
Area:	43.0 Acres
Surrounding Zoning: North:	R-12 and R-16 Residential and RM-9 Residential Mobile Home
South:	Industrial and Business Park-1
East:	R-12 and R-16 Residential and RM-9 Residential Mobile Home
West:	R-16 Residential and RM-8 Residential Mobile Home Park

On February 1, 2016, City Council denied this identical request based on the requested R-20A zoning district not being consistent with the recommendation contained within the adopted Comprehensive Land Use Plan. The Land Use Plan designates the property for medium-density residential.

The property is currently vacant woods.

If rezoned to the R-20A Conditional District, the use for the property would be limited to a solar facility and development plans detailing the use would be required. The City’s Comprehensive Land Use Plan designates this property for Medium Density Residential development which is equivalent to the City’s R-12SF and R-16 zoning districts. The requested R-20A zone would be considered a low-density residential zone.

The City is currently holding water and sewer assessments for the property in abeyance until the property is annexed or until the developer requests connection to City utility lines. The costs are \$4,080 for water and \$7,650 for sewer. Submitted development plans do not include hooking on to City utilities. A portion of this property is located within a Special Flood Hazard Area.

The submitted site plan indicates a gated 20 ft. wide gravel access drive beginning at Thoroughfare Road and extending westerly through the development terminating at a cul-de-sac. Two spaces will provide parking at time of construction and for scheduled site visits twice a year.

The solar panels will be installed within a 32-acre area (out of the entire 43-acre site) surrounded by a six-ft. tall chain link fence topped with barbed wire. Existing woods have been retained for a width of at least 50 ft. along the southern, western and portions of the eastern property lines. Staff will evaluate the need for supplemental landscaping in the event the existing 50 ft. vegetative buffer does not meet the landscape buffer requirements. A 50 ft. proposed landscape buffer is shown along the northern property line as well as the eastern property line that fronts Thoroughfare Road and will consist of

evergreen landscape material. Staff will work with the applicant to ensure proper screening material is proposed to meet the landscape buffer requirements if the request is approved.

The Air Installation Compatible Use Zone Study (AICUZ) shows that there are two mapped flight tracks which traverse the subject property.

Seymour Johnson AFB previously analyzed the request and the Solar Glare Hazard Analysis Tool submitted by the applicant and, based on the parameters for development at that time, had no objections and found the proposal to be compatible relative to Height, Visual, Light Emissions, Bird/Wildlife Aircraft Strike Hazard (BASH), and Radio Frequency/Electromagnetic Interference protocol. Staff has re-submitted the current request to officials at Seymour Johnson AFB for review and are awaiting their comments.

The applicant has indicated that construction on the site will take four to six months and that the operation will be basically unmanned with no daily personnel or activity at the site. Only twice-yearly site visits will be made to this location. Maintenance of the site and landscape will be the responsibility of the applicant and staff has requested a maintenance management plan be submitted as part of the site plan submittal.

Mayor Allen opened the public hearing and the following people spoke:

1. Alex Economy, Jr, 320 Long Plants Road, Goldsboro, NC stated he owns a piece of property that backs up to the solar farm on Central Heights Road at 3220. Mr. Economy stated I am a huge proponent of solar energy but I have concerns of these companies coming in and gobbling up large plots of land that we need for growth of our tax base. We now have six of these large fields in Wayne County that I know of and there is going to be a hearing for another one on Millers Chapel Road next month that is approximately one mile from where this one is located. This type of industry does not create a lot of jobs for our area, they create jobs short term to install these fields. Few jobs are needed after the installation to maintain these fields. Mr. Economy stated I feel there is a much better way to install solar panels that would not use the land we need for growth in Wayne County. That would be for them to rent spaces on roof tops of large buildings such as schools, malls, shopping centers, convention centers, and buildings in the industrial park. This would be a much better way than taking up 20-40 acres of land that we need for housing and industry and to grow our food. In the future we will need these areas for growth and contribution to the tax base so that our taxes are not raised on the citizens of Wayne County. Mr. Economy stated I feel I pay more than enough now. This land needs to be used for housing, farming, and industry to help bring jobs to Goldsboro. Mr. Economy stated I ask that you deny this rezoning request. Thank you.
2. Peter Stewart, 3027 Thoroughfare Road, Goldsboro, NC stated he appreciated being given the opportunity to speak. We have met before. Last time we dealt with this solar farm, I talked with councilmembers, I talked to Mr. Aycock, they had offered to give him money for a place in his land, and he said it was a good amount of money but he refused to do it. Mr. Stewart stated so I said why did you turn it down, he said he would not do it to his neighbor. He was not bound by debt or promise, he was bound by common consideration, common courtesy for his neighbors. The difference in our situation is the City of Goldsboro upon annexing us burdened the people of Thoroughfare with more taxes, regulations and promises they have failed to honor, number one being protection, now the City of Goldsboro has figured out a way to get more taxes by devaluing our community with this eyesore. The City of Goldsboro is ignoring the voice of the people of Thoroughfare. Mr. Stewart stated we the people of Thoroughfare are asking the City of Goldsboro give us the same common consideration and courtesy Mr. Aycock afforded his neighbors. Our community is growing and we do not want to be sold off to the highest bidder. The solar farm will negatively change our community and our lives forever. If the opening of this solar farm, by the way, since the last time we spoke, they have cleared the land, everything is prepped, they are ready just to slam this thing in, and we watched it. Mr. Stewart

stated everyone said we beat this, we won but we didn't win, we watched them clear it, they are preparing it and are ready to put it in and we don't feel like you are being fair to even consider doing this to us. There are two houses across the street, one has been there many, many years, and the other one was just built. It is a \$200,000-\$300,000 house, it is a beautiful house. People are working to build this neighborhood, this community comes together, people cook and the whole neighborhood shows up. They are families that have been there since dirt. Mr. Lewis, his mother was 1 of 49 children of a family that adopted kids and they were raised on that road. Mr. Stewart stated he is the only white person who lives on Thoroughfare Road, you would not know it. He stated I'm treated just like everyone else. I would do anything for these folks. Last time I was here, I stood up and fought for my neighbors because they've been my friends and partly my family too. Mr. Stewart stated please do not this, please do not take away from our community. Thank you.

3. Warren Edwards, 3033 Thoroughfare Road, Goldsboro, NC, stated Peter is our neighbor and I stay in the last house built on Thoroughfare Road, it is over \$200,000 home that I built not only for myself, but my grandkids. He stated my concern is after they finish, what they are going to do with this solar farm, when they get ready to vindicate it, move along, the remains that are going to be left there as an eyesore. They are not going to keep it forever, after that it is just going to be sitting there, rusting out, it is going to kill our neighborhood, the value of our property. Mr. Edwards stated we do not want it there. We would love to have apartments or something else put in there. We appreciate it.

Mayor Pro Tem Aycock stated he would like to point out he is not quite as cavalier as Mr. Stewart made him out to be.

4. Frances Marks, 3035 Thoroughfare Road, Goldsboro, NC stated I live next to Mr. Lewis. Like they have all said, we are like one big family. We do not want a solar farm in our community, what about those who have health problems, a lot of us have health problems. She stated I myself have been in and out of the hospital many times and was diagnosed with Myasthenia Gravis, and cannot be around a lot of fumes and other things. We are really trying to stand together. Ms. Marks stated we do not want the solar farm, we are praying you will consider our request and we do not get it.

Councilmember Stevens asked how long the life span of the solar farm is. Mr. Rowe stated he has heard 15-20 years but we do have a specialist here tonight. Councilmember Stevens stated he would like to hear from them.

5. Brian Quilan, 12921 Buckeye Drive, Gaithersburg, Maryland stated he is representing the applicant for the rezoning. Mr. Quilan provided the following information:
 - Request rezoning for the site from R-16 to R20A Conditional District for the installation of a solar facility.
 - Site is not in City limit; it is in City extraterritorial jurisdiction.
 - Applicant has worked closely with the Planning Department in the rezoning process.
 - Rezoning is supported by landowner and allows for beneficial use of property that has limited use.
 - RA-20AS zoning for this property is consistent with the City's Comprehensive and Land Use plan and supports the goals of the plan.
 - Neighboring property owners have been contacted by the City and separately by applicant on two occasions:
 - Applicant contacted and held community meeting with adjacent property owners.
 - Applicant independently contacted and met with several adjacent property owners a second time.
 - Proposed zoning meets criteria for Conditional Use Rezoning

1. Corrects an error meets the challenge of some changing conditions, trend, or fact – Site is designated as an Area of Low Suitability for development according to City’s Comprehensive Plan – more appropriate for lower density zoning.

Mr. Quilan introduced Mr. Ted Ivey, the landowner. Mr. Ivey stated he and his brother own this property. He stated I have lived in Wayne County for 66 years. The last time this came up, I realized what the Comprehensive Plan states in regards to residential. The Comprehensive Plan made us think about this property. Mr. Ivey stated I have been involved in various developments including the Southeast Plaza Shopping Center on Hwy 111, the Southeast Commercial Park on Hwy 111, (2) car dealerships in the Park East Business and Industrial Park and (3) in construction now. Mr. Ivey stated I did not have a lot of experience with residential development, whether it be low income, high density, assisted income or whatever so we decided because these views came up we would hire a consultant to look at this property for its highest and best use and to give us a recommendation. The consultant concluded, after looking at this property for agriculture, forestry, housing, affordable housing, commercial and solar, that its highest and best use was not housing. This property has some inherent problems, one problem is the power line that transverses the back of the property, another problem is the substation, and there are some access problems. Mr. Ivey stated after running the numbers, looking at everything, and numbers are what makes a project work, it has to be economically feasible, and housing is not feasible. Even if a person tries to secure a HUD Guaranteed Loan, there are issues associated with this property, setback requirements, this property is transverse by rail, setback requirements associated with the power line. You can’t secure the money to do a housing project and the infrastructure costs for this property to include water, sewer, curb and gutter, streets, stormwater, all these things make it cost prohibitive. We thought we were looking at the property wrong with regards to solar. But after the study, looking at all the economic factors, we don’t think so. Mr. Ivey stated he grew up on a farm, farmed for years, I am not a proponent of taking good agricultural land out of production normally and put into solar. There’s no doubt solar benefits society. It has come a long ways, the things that have been accomplished with technology pretty much make it feasible. When you look at it from a forestry aspect, what I’ve realized, if you planted a forestry project when you were born, assuming you live 75 years, you’d likely have the opportunity to harvest two crops off of it. This land is very poor when it comes to harvesting trees, this land has been in the family for 40 years. I just don’t see it being suitable for that. The other issues with proximity to power lines, rail, these things are not good for residential. We cut the wood, one of the reasons is, it was about as good as it was going to get in our lifetime and I wanted to see what it looked like. Mr. Ivey stated after seeing it, I am more convinced that the solar project is a good project for this property. We’ve done our homework. Mr. Ivey stated a recent study by the Urban Institute and National Housing Conference concluded affordable housing economics do not support investment by private developers/investors. Mr. Ivey stated it is more associated with government investment, government support. There are large companies that do these types of development but in order to do that type, in order to secure a loan guarantee, you have to have done one before. We have never done one. We have done our homework. We’ve looked at the economics, we’ve looked at the financials. Mr. Ivey stated he would like to request you reconsider. Mr. Ivey stated he felt it is a good use of the property. Thank you.

Mr. Quilan reviewed the following information:

2. Proposed rezoning meets criteria for Conditional Use Rezoning – Compatible with Comp Plan and Land Use Plan
 - RA-20A – maintain low densities where water/sewer not complete
 - RA-20 zoning is lower density classification than R-16 Medium Density Residential (MDR)

- Surrounding property includes zoning mix of heavy density and medium density residential (all in the MDR land use area and Industrial)
 - Adjacent property is indicated on land use plan as industrial – currently has residential housing.
3. Proposal/Range of Uses Compatible with Surrounding Patterns/Uses
- Characteristics of site limits use under R-16 zoning and other developments are more compatible with R-20A zoning for solar project
 - Limited use of property
 - Transmission line traverses site
 - Rail line on site
 - Industrial properties nearby
 - Limited road front and access
 - Majority of site is well off the road limiting higher density development
 - Adjacent substation
 - Location of solar facility and existing trees supplemented by landscaping as necessary to meet or exceed Type B buffer will keep it from view
 - Solar project creates no smell, noise, light or visual impact and is compatible with surrounding residential and industrial uses

Mr. Quilan reviewed the site plan and landscape plan.

4. Proposed rezoning meets criteria for Conditional Use Rezoning – City/Service Providers Able to Provide Public Facilities/Services
- Entrance to solar facility from Thoroughfare Road
 - Solar facility driveway permit will be obtained from NC Department of Transportation
 - Access available for emergency vehicles
 - 4-6 months construction period with daily activity on site
 - Unmanned operations
 - Two scheduled site visits per year
 - No daily personnel/activity at the site
 - No sewer and water on site
 - Solar facility does not require sewer or water
 - Panel washing water delivered by trucks
5. Proposed rezoning meets criteria for Conditional Use Rezoning – Will not affect Archeological/Historical/Environmental Resources
- Solar facilities have no significant impact on the permeability of the land and do not require storm water management
 - Panels are supported on driven piles
 - Land is not paved and is left virtually undisturbed
 - Wetlands are delineated by environmental engineers and confirmed by US Army Corps of Engineers
 - Wetlands are delineated on surveys and construction drawings
 - Project construction and operation has no impact on wetlands
 - No wetlands anticipated on site
 - Land has been previously timbered

Mr. Quilan stated the Certificate of Public Convenience and Necessity review process is complete by state clearinghouse agencies and the CPCN has been issued to project company indicating no adverse impacts. Phase I environment

assessment will be performed and the project for not use any groundwater or have any impact on groundwater or the water table.

Mr. Quilan introduced Mr. Tommy Cleveland. Mr. Cleveland reviewed the following information:

6. Proposed rezoning meets criteria for Conditional Use Rezoning – Will Not Impair Public Health, Safety, Welfare
 - Solar projects are safe for the community
 - Low voltage
 - Much lower voltages than substations and power lines
 - All wiring and electrical equipment are covered/sealed
 - Design and construction meets all local electrical requirements including the National Electric Code
 - All equipment is approved by Underwriters Laboratories
 - Facility fenced with locked gate to prevent unauthorized entry
 - Solar panels are fully encapsulated/sealed with several layers including a glass cover and aluminum frame
 - Cracked or malfunctioning panels will be detected through O&M and system monitoring
 - The materials in the panels are stable and not soluble in water
 - Studies have shown no material risk to people or environment from cracked panel
 - EPRI – Potential Health and Environmental Impacts Associated with the manufacture and use of photovoltaic cells
 - Insurance and warranties cover replacement
 - Panels are properly disposed/repurposed/recycled at end of life
 - Within 6 months of end of term of lease – all components of the solar facility removed, site fertilized and reseeded with native grass
 - EPA has concluded that solar panels are safe for landfills
 - Electromagnetic Fields (EMF)
 - Studies by World Health Organization and National Institute of Health have found no persuasive scientific evidence that electric and magnetic fields can lead to public health problems
 - No federal standards or NC state standards regulate exposure to EMF
 - Pacemaker and defibrillator recommended EMF limits are 10 to 100 times higher than exposure directly beneath distribution lines
 - EMF energy levels decrease rapidly with distance (drop by the square of the distance from the source)
 - Solar project does not change the existing electromagnetic fields in the area offsite
 - Electric fields produced by voltage
 - Solar farm produces DC power at low voltages with low energy (1,000 V compared to 23,000 V of distribution line)
 - Magnetic fields produced by current
 - Any EMF produced by solar field dissipates rapidly and is generally undetectable at solar farm fence

Mr. Quilan reviewed the following information:

- Seymour Johnson Air Force Base has requested a solar glare hazard analysis to be performed on the project. 22 scenarios have been evaluated with no glare indicated. Reports reviewed and approved by Seymour Johnson Air Force Base.
- Project to include buffer exceeding Type B buffer yard requirements for Class A to Class B adjacent parcels.
 - Proposed 50' buffer consisting of 25' existing/planted trees and shrubs with 25 foot critical root zone
 - Provides complete visual separation
 - Buffer exceeds setback requirements
 - Solar panels set back 25' from buffer (total 75' minimum from property line)
- Tree preservation plan
 - Existing trees and shrubs remain in first 25' from property line boundary (tree preservation area)
 - 25' critical root zone from tree preservation area
 - To be separated from solar facility by fence to prevent disturbance of construction and operations
- Solar facilities have no effect on the valuation of surrounding property
 - Property appraisal report has been performed indicating no impact to adjacent home values
 - Empirical data from solar project in Goldsboro
 - Experience with over one hundred reviews in NC with no impact
- Solar development has significant positive impact on the NC economy and environment
 - Duke University reports 450 solar companies employ 4,300 workers statewide and have invested \$2 billion across 55 counties, with every dollar spent on state incentives returning \$1.93 in benefits
 - Generates property taxes with no burden on infrastructure (roads, electrical, water or sewer) or schools
 - NC has had significant recent issues with coal fired plant including 2014 coal ash spill in Dan River
 - Solar energy generates electricity with no environmental impact

Councilmember Stevens stated the battle is between the US, Germany, China and Japan in regards to pushing solar power forward, is this your initiative to push solar forward in North Carolina. Mr. Quilan stated this is a Duke Power initiative to purchase solar power. Councilmember Stevens asked if this would have an effect on pricing for customers. Mr. Quilan stated he cannot really speak to what Duke will do, the North Carolina Utilities Commission does regulate that.

Mr. Quilan stated they do feel the property is suitable for rezoning to R-20A and a solar project is the best use.

Mayor Allen stated one of previous speakers had asked when the lease is up in 15-20 years, what happens? Mr. Quilan replied under the agreement with the landowner we have 6 months to remove everything from the site and essentially reseed the ground with native grasses.

Councilmember Williams stated he understands their concerns regarding the land, their property and an eyesore, no one wants to see barbwire. Is there something

you guys can do? Mr. Quilan replied the fencing would be inside the landscaping, you would not see it, the fence is 6 feet and the minimum tree height is 8 feet. Councilmember Williams asked what type of buffer and Mr. Quilan replied Type B as required by the UDO.

No one else spoke. Mayor Allen closed the public hearing. No action necessary. Planning Commission will have a recommendation for the Council's meeting on October 3, 2016.

Z-6-16 Attaway Investments, LLC - Southeast corner of Wayne Memorial Drive and Gracie Place (NB to GBCD). Public Hearing Held. The proposed zoning classification for the subject property is General Business Conditional District to limit the property for use as a retail auto parts and supply store. In conjunction with this request, the applicant has requested a waiver of the site plan requirement. If the rezoning is approved, the applicant will be required to have development plans approved by City Council before issuance of building permits.

Frontage: 110 ft. (Wayne Memorial Dr.)
210.50 ft. (Gracie Place)
Depth: 110 ft.
Area: 23,100 sq. ft. or 0.53 acres

Surrounding Zoning: North: Neighborhood Business
South: Office and Institutional
East: Neighborhood Business
West: Neighborhood Business

The property is currently zoned Neighborhood Business. As previously stated, the applicant proposes to rezone the subject property to General Business Conditional District to limit the property for use as a retail auto parts and supply store.

The property is currently vacant. It was previously occupied by a single-family dwelling which was demolished.

The City's Land Use Plan recommends commercial development for the property.

City water and sewer are available to the property. Subject property is not located within a special flood hazard area.

NCDOT has reviewed the proposed use and will require a driveway permit for access off of Wayne Memorial Drive.

Mayor Allen opened the public hearing and the following person spoke:

Justin Church, 126 Executive Drive, Wilkesboro, NC stated he is with Blueridge Environmental, the civil engineers for the project. We are still working through site plans but wanted to bring your attention to the property which is currently commercially zoned. We are asking it to be moved from Neighborhood Business to General Business. We are restricting ourselves to an auto parts store. Mr. Church stated we are available for any questions you might have. Thank you.

No one else spoke. Mayor Allen closed the public hearing. No action necessary. The Planning Commission will have a recommendation for the Council's meeting on October 3, 2016.

Z-7-16 Elsie Lechner-Northeast corner of South Berkeley Boulevard and East Elm Street. Public Hearing Continued. Applicant requests amendment of the existing General Business Conditional District zone which allows the retail sale of licensed sports products to add the rental of vehicles as a permitted use within that zoning district.

On December 2, 2013, Goldsboro City Council approved a zoning change for the property to amend the General Business Conditional District for a used car lot and truck rental operation to add the retail sale of licensed sports products.

Frontage: 160.81 ft. (Elm Street)
187.06 ft. (Berkeley Boulevard)
Area: 23,950 sq. ft., or .55 acres
Surrounding Zoning: North: Shopping Center
South: (Jurisdiction of SJAFB)
East: General Business
West: Neighborhood Business

Currently the lot is occupied by a 2,652 sq. ft. one-story, masonry brick building. The submitted floor plan indicates a display of retail merchandise along with an office, restrooms, storage and a check-out counter for merchandise sales and truck rentals.

A total of 23 striped parking spaces are provided which includes one handicapped parking space. Retail sales requires one parking space per 250 sq. ft. of gross floor area. Auto rentals requires one space per employee, plus 3 customer spaces, and one space per vehicle stored on site.

Existing striped and paved parking lot provides for circulation and interconnectivity to adjacent properties. Applicant has not indicated the number of trucks available for rental or returned after rental and the staff cannot, therefore, make a determination as to the number of required parking spaces.

No. of employees: 2
Hours of Operation: 10:00 a.m. to 7:00 p.m. (Monday-Saturday)
12:00 a.m. to 7:00 p.m. (Sunday)
Refuse Collection: Private Service

The site is served by one 48 ft. wide shared access drive from South Berkeley Boulevard and one 36 ft. wide access drive from Elm Street.

On September 9, 2016, staff received correspondence from the applicant requesting that the public hearing on this item be continued in order to allow for her representative to attend.

Staff recommended Council continue the public hearing on this matter to October 17, 2016.

Upon motion of Councilmember Ham, seconded by Mayor Pro Tem Aycock and unanimously carried, Council voted to extend the public hearing to October 17, 2016.

CU-12-16 Patrick Gallagher– East side of Leslie Street between Mulberry Street and Walnut Street. Public Hearing Held. The applicant requests a Conditional Use Permit to allow the operation of a Bed and Breakfast to include receptions, private parties or similar activities on site.

The property is currently utilized as a private residence.

Frontage: 118.39 ft. (Leslie Street)
166 ft. (Walnut Street)
Area: 100,188 sq. ft. or 2.3 acres
Zoning: R-9 Residential

The Council, on March 7, 2016, denied a request by the applicant for rezoning this property to General Business Conditional District to limit the use of the property to a place of entertainment with ABC permits (event center) in conjunction with the present use as a single-family dwelling.

The applicant now proposes to operate a Bed and Breakfast where customers will utilize the guest house on the property. The applicant also wishes to allow rental of the activity building on the property for receptions, private parties or similar activities.

As part of the approval criteria for a bed and breakfast to operate within a residential district, the property must front on a major or minor thoroughfare or collector street as designated in the Metropolitan Transportation Plan (MTP) and the bed and breakfast may only be permitted within a principal residential structure. Leslie, Walnut and Lionel Streets are considered secondary streets and the guesthouse is not attached to the principal residential structure. The applicant requests a modification of the approval criteria to allow the bed and breakfast to be permitted along secondary roads and permit the use within the existing separate guesthouse.

The requested Conditional Use Permit will require that detailed development plans be reviewed and approved by the Planning Commission and City Council. The applicant has submitted a site plan which illustrates the intended use of the property.

The property is currently occupied by a number of one-story structures containing the following areas and existing or proposed uses.

1. A 5,467 sq. ft. building serves as the applicant's primary dwelling;
2. A 2,251 sq. ft. existing building proposed to serve as the proposed activity building;
3. A 1,200 sq. ft. existing guest house maintained for the proposed Bed and Breakfast use;
4. Existing Pool House;
5. Existing Greenhouse; and
6. Existing 3,000 sq. ft. metal building used for storage.

The applicant contends that the site is underutilized given the amenities and structures available on the property.

Brick pavers and concrete sidewalks provide interior pedestrian access to the pool house and greenhouse.

The applicant's dwelling, guesthouse and the activity building is currently accessed by a driveway on Leslie Street which leads to a parking area for eight vehicles adjacent to those buildings. There is also a concrete driveway on Lionel Street which extends through a 20 ft. wide access easement to the storage building at the rear of the site. An unused concrete drive extending from Walnut Street is to be removed and covered with a new parking area.

The applicant proposes the installation of a parking lot containing 70 spaces accessed from Walnut Street through two driveways. Based on one space required per 32 sq. ft. of proposed assembly area, a total of 70 parking spaces would be required. As noted previously, there are an additional eight parking spaces provided which are accessible from Leslie Street.

The entire site is encompassed by either fencing or masonry wall. Interconnectivity is not shown and the applicant believes that this would not be necessary and has requested a modification of that requirement.

While not shown on the plans, appropriate landscaping will be required to meet the Vehicular Surface Area. Landscape Buffers are not required.

Drainage plans will be required for the parking area and if the disturbed area for the site exceeds more than half an acre, stormwater calculations will be required by the City Engineering Department.

The following modifications have been requested by the applicant:

1. Modification to allow the bed and breakfast facility to be located in a freestanding building, not attached to the principal residence.
2. Modification to allow the bed and breakfast to be permitted on lots fronting on secondary streets rather than major or minor thoroughfare or collector streets as designated in the Metropolitan Transportation Plan (MTP).
3. Modification of the interconnectivity requirement.

Mayor Allen opened the public hearing and the following people spoke after being properly sworn in:

1. Claudia Roberts, 804 E. Mulberry Street, Goldsboro, NC stated she is a transplant from Texas. Ms. Roberts stated when I got property at Wayne Memorial Park I decided I was a North Carolinian. Ms. Roberts stated we do not wish another business in our area. Thank you.
2. Keisha James, 712 E. Mulberry Street, Goldsboro, NC stated I do not wish to have another business. Ms. James stated I came from Washington, D.C. and came here 7 years ago. I have experienced so much crime, I was home almost a year ago when someone tried to break in, while I was there asleep and I do not want another one. Ms. James stated we have too much crime, too much walking around; street walkers. We have a lot of things going on in our area, things we need to fix up before we try to put something else in place. If we can't fix up what we have now, why bring something else in. Ms. James stated why fix something on Lionel Street when you have so much going on to put a parking lot there, for other things, other events. If you want events, we have event centers, we have hotel conference rooms you can rent, why do that. Ms. James stated we do not need anything else in our neighborhood at all. Thank you.
3. Lisa M. Wiggins, 705 Weaver Drive, Goldsboro, NC stated she is the owner of Southern Touch Weddings and Events. I am standing before you and the City Council this evening to express my point of view of the beneficial impact of the proposed Bed and Breakfast and activity building will have to our City. The past few years I have seen Goldsboro progress into a growing metropolitan area with our downtown area growing and thriving once again. This Bed and Breakfast and activity building will be another added success to our area. Ms. Wiggins stated with the following factors in mind, it can create jobs, such as custodial, lawn and garden, cook staff, etc. It would bring more revenue to Goldsboro, networking with other businesses, for small businesses it is a plus. Ms. Wiggins stated being a wedding and event planner, I have seen weddings of the \$40,000-50,000 range go out of our City to other counties due to the fact that we did not have adequate facilities or they were not available due to other programs. It can enhance the community, potential buyers would invest in real estate and would love to move back into said community. It is also within traveling distance to the community college and also with the upcoming convention center we will have on Wayne Memorial Drive and of course Seymour Johnson Air Force Base. It has close proximity to restaurants and shopping centers and because of the property location it can host small groups, business meetings, receptions, etc. Ms. Wiggins stated it is peaceful and secluded within the property, it is private and gated, it is a unique, picturesque view and it is secure. With being a resident of Goldsboro for 35 years I have grown appreciation of Goldsboro. Over the years I have seen many changes in this City from Goldsboro Drug Store to CP&L to the Farmers Market downtown with citizens taking great pride in their communities. Ms. Wiggins stated let's help restore Goldsboro back to these memories by taking a

small step allowing this Bed and Breakfast and activity center enhance some parts of the community as it once was. In closing I leave you with the City of Goldsboro's motto, "Be More, Do More, See More." Thank you.

4. Patricia Pollack, 205 Quail Drive, Goldsboro, NC stated she is here tonight representing her son Taj Pollack, he is at the Fire Department protecting our City. This facility is in my son's backyard. As he mentioned before, after working a 24 hour shift, he does not want to come home to an activity center or an events center because that's what it was called the first time and was denied, now we've changed the name to "bed and breakfast" but are still asking for the same thing they asked for the first time. My concept and Taj's as well, you can have a pig, he's a pig, you can put lipstick on him, it's still a pig. Ms. Pollack stated I don't care what you call it, it is the same thing we are fighting against. Again, in this community when they put the strip mall in on Ash Street, they have these businesses that are open until midnight, so you already have a lot of foot traffic. Mulberry is between Walnut and like I said, my son shared a fence with Mr. Gallagher, so already in the 13 years he has owned this residential property, and this neighborhood has deteriorated. There is a lot of drugs in this area, prostitution. When people go online and Google this bed and breakfast and you see the neighborhood you are not going to get the clientele that a regular B&B would attract. Ms. Pollack stated it sounds good, but now with the Serena Inn closed, I am fearful that is the kind of crowd you are going to entertain in that area. Because people of upper epilogue are not going to want to come over with drugs in that area. We are requesting, again it is easy to say you don't live there, well this sounds good, but when it is in your neighborhood, in your backyard. Ms. Pollack stated she would really appreciate if you think about it. Thank you.
5. Rick Roberts, 804 E. Mulberry Street, Goldsboro, NC stated good evening gentlemen. If you own a home, when you bought the home, you bought it as home, you bought it to live there, you bought it to die there, you bought it to have your grandkids there and their grandkids. You did not buy it so it would be commercialized, you bought it for a home. Mr. Roberts stated that property is my father and mother's home, I am the only one left to inherit it, and I plan on dying there too. It is not right for people to come in and try to wipe all that out. The parking lot is a bad idea, we have Piggly Wiggly parking lot, drive through there at 2:00 in the morning and see what you get. Drive down that area on Walnut and see what you get. This is not a good idea gentlemen. Mr. Roberts stated he feels like actually Mr. Gallagher is trying to pull a fast one on me, I do not like that. I was not aware of the other project he had in mind until I was informed by a neighbor. Mr. Roberts stated this is the same thing with a different name, he is trying to fool y'all and trying to fool us, but we are not fooled are we, right.
6. Susan Bowmer, 1304 E. Ash Street, Goldsboro NC. Stated I first moved here 8 years ago. Patrick and Blondine were two of the first people I met. I met them through our church, we worked together at First Presbyterian Church including going on a mission trip for a whole week to West Virginia. Patrick stayed behind when the rest of us came home to finish working on a project to finish a building where the volunteers stayed. Patrick and Blondine since then have gone to Cornerstone Church and they are very active there. They are about the most honest and loyal people you would want to meet, they are among my best friends. Ms. Bowmer stated as far as the activity center goes, I have been to a couple of things there including when they opened it for a fundraiser for the youth of Cornerstone Church. They raised \$400 in one night letting them have a dinner there, the children entertained, it was a wonderful family event. Another event I have been to, the Goldsboro Writers Group has met there a couple of times and I've been a guest of their home. They are also taking care of quite a few children in this community who are being neglected. They take them in to their home on the weekends and even more during the summer. What I'm really trying to say is they are very honest, wonderful people and I do not think they would try to pull the wool over anyone's eyes. Ms. Bowmer stated the area is gated, there is a wall around it which I think would do a lot to alleviate noise. I know they are very

responsible people who are not going to allow just anyone to use this facility. Thank you very much.

7. Patrick Gallagher, 112 N. Leslie Street, Goldsboro, NC stated I am glad to speak towards the end because I have heard a lot of things I can address. The parking lot is not going to be accessible to anybody except the people on the property because it is within a fence, unless people are going to jump the fence, it is not going to happen. We are going to light up the area, as I mentioned the previous time, we will have off-duty police officers for events that require that, we have already been in touch with the right people to help with that. We are not rezoning the property now, the only other B&B in town is Plum Tree, and we have been by there. Dr. Gallagher stated we just think you need another option for people for a B&B in town. We purchased the property in 12, we have been there 4 years now. We made a lot of investment in the property and we want to make best use of it. It is somewhat underutilized, it is just my wife and I and my godchildren are there a bit, but still just a Jot of space. In regards to the crime, Dr. Gallagher stated he I do not think it will be a deterrent but an improvement with Police presence, putting up more lights along the back of the property. People go where people are not, people go where it is dark, if you start lighting it up bring in more traffic and we are not going to let parties go late in the night. My wife and I are both professionals, she has her business and I have my business, we will not let parties go on at 2:00 in the morning. Dr. Gallagher stated we are going to have strict guidelines as to when they are going to be out and comply with things that are required such as the neighborhood zoning as set. Thank you for your time and consideration.
8. Bill Keel, 801 E. Mulberry Street, Goldsboro, NC stated it looks like a new group since I last spoke and would like to congratulate each of you for serving, it cannot be an easy job. I'm kind of remised for not coming and speaking before, as Chuck knows I've been around Goldsboro for a while. I was born and raised here, moved away went into the Marine Corp, worked and came back. Mr. Keel stated I bought a house at 801 E. Mulberry Street about 8 years ago. I've worked with the Downtown Goldsboro Development Corporation for 8 years and I say all of this to say I've seen all the improvements that have gone on in downtown and I remember the way it was years ago. Nobody wants to put it back like it was in the 60's. No one wants it to return like it was 10-15 years ago. But if you ever go down Mulberry Street, leave the post office and go down to what I call the rich part of Mulberry Street, there is a section there the 300, 400, 500, 600, 700, 800 blocks of Mulberry Street, there is a lot going on there, and a lot is because of the fact I feel safer there than I did 8 years ago because of the job the Police Department is doing. They are doing a good job with limited resources. The other thing I've seen with the Center Street Project, there a lot of intangibles you do not think about, the tentacles that come out of that and come down the street like Mulberry, Walnut and the train station. Mr. Keel stated these are intangibles you do not think about. Those are the things that have helped to improve the area. We have a lot of work to do down Walnut. Mr. Keel stated I just heard one of the houses that was on the market right across from the Piggly Wiggly, it just sold. Little by little we've got people moving here, retired veterans, we've got an individual at Leslie and Walnut, Leslie and Mulberry it was their home place, they have moved back there, they have fixed this house. The lady who did the Master Plan for the City of Goldsboro she lives at the corner of Mulberry and Leslie Street. Mr. Keel stated I am not saying this would be good or bad for the neighborhood , I don't know, I do worry sometimes about people 's intentions. I do know a lot is going on and I do not have a feeling this is going to help that, if it is not going to help, it is probably going to hurt. I just think we are making a lot of progress and everything that adds to it is good. But when things like this come along, we have to weigh does it help improve our City as a whole or our neighborhood as a whole. Mr. Keel stated I know you will, please take this to heart and really think about it. Ride through the area, tide through parts that don't look so good, and the parts that are improving, it's really coming back and ask if this is a help or it is a hindrance. Thank you for your time.

No one else spoke. Mayor Allen closed the public hearing. No action necessary. The Planning Commission will have a recommendation for the Council's meeting on October 3, 2016.

Planning Commission Excused.

Public Hearing To allow citizens the opportunity to comment on the City of Goldsboro's draft of the Consolidated Annual Performance and Evaluation Report (CAPER), for Entitlement Grantees receiving Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Funds. Public Hearing Held. On July 1, 2015, the City of Goldsboro received \$314,687 in CDBG funds and \$149,935 in HOME funds from the Department of Housing and Urban Development (HUD) for fiscal year 2015-2016 to administer its Community Development Programs.

The CAPER provides an opportunity for the City to assess its annual performance and to discuss what actions or changes it should take as a result of its performance. In addition, it is designed to provide information on how the City actually used its entitlement funds during the most recently completed program year, July 1, 2015 through June 30, 2016.

To comply with program guidelines, the City must meet the following citizen participation requirements:

1. Make the CAPER available to the public for examination and comment for a period of not less than 15 days prior to submission.
2. Provide a description of the process it undertook to ensure the public had an opportunity to review and comment on the CAPER.
3. Provide a summary of public comments received as a result of the citizen participation process.

The primary objective of the Community Development Program is the development of viable urban communities and expanding economic opportunities, principally for persons of low and moderate-income.

A draft of the CAPER has been prepared and was available for review from September 5, 2016 to September 19, 2016. A copy of the report was placed at public access sites such as the City of Goldsboro Planning Department, the Office of the City Clerk in the New City Hall Annex, 200 North Center Street, in the Community Relations Office, City Hall, 214 North Center Street; at the Wayne County Public Library, 1001 East Ash Street; and on the City's website at www.goldsboronc.gov.

Notice of this public meeting was advertised in the Goldsboro News Argus on August 18, 2016.

Mayor Allen opened the public hearing and the following person spoke:

1. Sylvia Barnes, 1708 Holly Street, Goldsboro stated she just wanted to ask if any information was sent out because this sounds like, just from reading this that we would be interest in but this is the first time I have heard about it.

Mr. Stevens shared it was advertised in the Goldsboro News Argus on August 18, 2016. Ms. Simpson-Carter shared it was also placed at various public access points and although the comment period does end today, someone can still review the document and share any comments with her.

Mayor Allen stated you can still review and share your comments with Ms. Simpson-Carter.

No one else spoke and the public hearing was closed.

Upon motion of Mayor Pro Tem Aycock, seconded by Councilmember Broadaway and unanimously carried, Council:

1. Directed the staff to incorporate any comments at the public hearing into the City's CAPER; and
2. Authorized the staff to submit any needs identified or comments received to the Department of Housing and Urban Development (HUD) after the required comment period has ended.

Consent Agenda - Approved as Recommended. City Manager, Scott A. Stevens, presented the Consent Agenda. All items were considered to be routine and could be enacted simultaneously with one motion and a roll call vote. If a Councilmember so requested, any item(s) could be removed from the Consent Agenda and discussed and considered separately. In that event, the remaining item(s) on the Consent Agenda would be acted on with one motion and roll call vote. Mr. Stevens reminded Council during the Work Session Item J. Z-4-16 David Perry – West side of North George Street between Vine Street and Holly Street (General Business to Office and Institutional-1) was removed from the Consent Agenda and added to Items Requiring Individual Action. Mayor Pro Tem Aycock moved the items on the Consent Agenda, Items K, L, M, N, O and P be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Broadaway and a roll call vote resulted in all members voting in the affirmative. Mayor Allen declared the Consent Agenda approved as recommended. The items on the Consent Agenda were as follows:

Contract Award for Goldsboro Turning Movement Count Inventory.
Resolution Adopted. The City of Goldsboro, Lead Planning Agency for the Goldsboro MPO, requested qualifications to assist in the development of the Goldsboro Turning Movement Count Inventory which will result in peak hour traffic counts at 125 signalized intersections.

Six consultants submitted qualifications and the Selection Committee consisting of Jimmy Rowe, Planning Director, Jennifer Collins, Assistant Planning Director, Dominique Boyd, NCDOT and Bobby Croom, City Traffic Engineer, reviewed each firm’s submittal. Each submittal was evaluated based on:

1. Quality and Completeness of Proposal;
2. Project Approach and Ability to Complete on Time;
3. Related Project Experience;
4. Quality and Completeness of a Submitted Project Example;
5. Reference; and,
6. Cost

Upon review, the Selection Committee’s compiled evaluations indicated that VHB ranked highest of the six submittals.

On September 8, 2016, staff presented their recommendation to the TCC and TAC for their approval. They recommended and approved the selection of VHB for this task.

In order to complete the data collection, VHB proposed a total contract fee of:

<u>Contract for Services</u>	<u>\$38,750</u>
City of Goldsboro (+/- 20%)	\$ 7,750
NCDOT PL 104 funds (+/- 80%)	\$31,000

The fee proposal for this project has been reviewed by the Planning Department and North Carolina Department of Transportation, checked for accuracy, and found to be in order. The financing of this project has been reviewed by the City Finance Director. Sufficient funds are available for this project with 80% of the project being paid for with the use of PL 104 funds.

Staff recommended Council adopt the following entitled Resolution authorizing the Mayor and City Clerk to execute a contract in the amount of \$38,750 with VHB for the Goldsboro Turning Movement Count Inventory. Consent Agenda Approval. Aycock/Broadaway (7 Ayes)

RESOLUTION NO. 2016-73 “RESOLUTION AWARDING AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE GOLDSBORO TURNING MOVEMENT COUNT INVENTORY”

Bid Award to T.A. Loving Company for Neuse River Pump Station Emergency Generator Installation. Resolution Adopted. On June 27, 2016, City Council awarded a bid so that a new emergency generator could be fabricated for the Neuse River Pump Station. It is currently under construction at the factory. Once the generator is fabricated it will be delivered to Goldsboro and be received by an installation contractor.

The City of Goldsboro advertised for Requests for Qualifications from generator installation contractors and received a responsive informal bid on September 7, 2016 from T.A. Loving Company for \$125,000.

There are sufficient funds in the FY 2016-2017 budget for this contract to install the emergency generator at the Neuse River Pump Station.

Staff recommended the City Council adopt the following entitled Resolution authorizing the Mayor and the City Clerk to execute a contract with T.A. Loving Company not to exceed \$125,000 to install a 475 kW emergency generator at the Neuse River Pump Station. Consent Agenda Approval. Aycock/Broadaway (7 Ayes)

RESOLUTION NO. 2016- 74 “RESOLUTION AWARDING AND AUTHORIZING EXECUTION OF CONTRACT TO INSTALL AN EMERGENCY GENERATOR AT THE NEUSE RIVER PUMP STATION”

FY 2016-17 Budget Amendment for Community Development/HOME and Stoney Creek Sewer Outfall Project. Ordinance Adopted. Budget Amendments are sometimes necessary when changes occur due to modifications in projects or expenditures.

There are several departments/divisions that require budget revisions for FY 2016-17.

1. The Stoney Creek Sewer Outfall Rehabilitation Change Order #1 in the amount of \$169,765.59. Since funding was not allocated in the current budget, it is necessary to approximate funding along with reimbursement from the Clean Water State Revolving Fund Loan.
2. The City of Goldsboro has been notified by HUD that additional funding is available in the amount of \$150,121.92 in Community Development Fund and \$51,016.93 in HOME funds. These monies have been reallocated to the City from previous years and will be moved into areas for public facilities and CHDO expenses.

It is recommended the following entitled budget ordinance be adopted allocating for these expenditures and revenues. Consent Agenda Approval. Aycock/Broadaway (7 Ayes)

ORDINANCE NO. 2016-50 “AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE CITY OF GOLDSBORO FOR THE 2016-2017 FISCAL YEAR”

Abatement and Demolition Quote for Commercial Property: Old Golf Pro Shop located at E. Eden Place. Approved. Request for Quote of Abatement and Demolition of the Old Golf Pro Shop Commercial property located at E. Eden Place,

Goldsboro, N.C. On June 29, 2016, requests for quote were sent to four contractors. A/K Grading & Demolition, Inc., submitted the following quote. No other responses were received.

Scope of Work – Old Pro Shop

- Demolition and disposal of the Old Golf Pro Shop building in its entirety including all slabs and foundations.
- Demolition and disposal of perimeter concrete and fencing.
- Asbestos Abatement and disposal in its entirety.
- Obtain NCDENR permits and City of Goldsboro permit.
- Grading to be by the City of Goldsboro.

Total Demolition and Asbestos Abatement - \$27,000.00

The quote has been reviewed by the City's Inspection Department, checked for accuracy, and found to be in order. The quote from AK Grading and Demolition, Inc. is being recommended in the amount of \$27,000. The current fiscal year's budget has sufficient funding for abatement and demolition of this location.

Staff recommended that Council accept the quote of \$27,000 from A/K Grading and Demolition, Inc. for the abatement and demolition of the commercial property. Consent Agenda Approval. Aycock/Broadaway (7 Ayes)

Amendment to Chapter 110: Licensing Provisions of the Code of Ordinance of the City of Goldsboro, North Carolina. Ordinance Adopted. NCGS § 160A-194 has been amended by the North Carolina General Assembly to provide that Privilege Registrations previously required by the City of Goldsboro of local businesses may no longer provide for a tax. The newly amended statute continues to permit cities and towns to regulate and subject to registration occupations, businesses, trades, professions and forms of amusement or entertainment and prohibit those that may be inimical to the public health, welfare, safety, order or convenience.

With the elimination of the privilege license, it was recommended that a business registration fee of \$20 per business annually be required by all businesses operating within the City limits of Goldsboro. This will help ensure compliance with zoning regulations, fire inspection requirements and identifying businesses that should be subject to other permits. City Council adopted Ordinance No. 2016-32 "Annual Business Registration for Conducting of Business within the City of Goldsboro" at their meeting on June 6, 2016 with an effective date of July 1, 2016. To reflect the changes in the City of Goldsboro's Code of Ordinances, Chapter 110: Licensing Provisions needs to be amended as follows:

110.05 LICENSE REQUIRED –Change to read as follows:

110.05 LICENSE/REGISTRATION REQUIRED

It shall be unlawful for any person to engage in any business, trade, employment or profession for which a license/registration is required or imposed under this chapter, or under any other ordinance of the city, without first having obtained and paid for such license/registration, or to continue in any such business, trade, employment or profession for which a license/registration is required or imposed after the expiration of a license/registration previously issued without obtaining and paying for a new license/registration.

110.08 EACH DAY WITHOUT LICENSE OR VIOLATION OF PROVISIONS CONSTITUTES – Change to read as follows:

110.08 EACH DAY WITHOUT LICENSE/REGISTRATION OR VIOLATION OF PROVISIONS CONSTITUTES

Each day that any person shall continue to exercise any privilege or engage in any business, trade, employment or profession within the city without a license/registration, or do any act in violation of the provisions of this chapter, shall be and constitute a distinct and separate offense.

110.20 COMPUTER GAMING ESTABLISHMENTS – Delete Section and Replace with the following:
110.20 BUSINESS REGISTRATION

(A) Definitions.

Administrator shall be the person designated by the City Manager to operate the Business Registration Program required by this ordinance.

Agent is an individual acting on behalf of "Person," as defined herein.

Business includes each trade, occupation, profession, business, and franchise subject to registration under this chapter.

City means the City of Goldsboro.

Person includes any individual, trustee, executor, other fiduciary, corporation, unincorporated association, partnership, sole proprietorship, Limited Liability Company, company, firm, or other legal entity.

A business is seasonal in nature when it is conducted for profit six months out of the year or less.

(B) Requirement for registration.

Unless exempt as described in this ordinance, each person who conducts a business within this city is subject to this ordinance. One conducts a business "within the city" if one maintains a business location within the city; or if, either personally or through agents, one (1) solicits business within the city limits or (2) picks up or delivers goods or services within the city limits.

(C) Period of registration; due date.

- (1) Annual registrations. Unless the section of this ordinance applicable to a particular business provides otherwise, a registration issued in accordance with this chapter is good for the 12-month period beginning July 1 and ending June 30.*
- (2) Registrations for periods shorter than one year. If the section of this ordinance applicable to a particular business so provides, a registration may be issued for a period of one day, one week, or some comparable period of less than a full registration year. A person may not commence to conduct a business within the city until the business registration is obtained and may not continue such a business beyond the period for which the registration is issued.*

(D) Separate businesses.

A separate registration is required for each place of business unless two or more places of business under common ownership are contiguous to each other, communicate directly with and open into each other, and are operated as a unit.

(E) Exemptions.

The provisions of this chapter shall apply to all businesses within the City of Goldsboro municipal jurisdiction unless specifically exempted or excluded from registering by this Ordinance, by the laws of North Carolina or by laws of the United States.

(F) Registration application.

A person shall apply to the Administrator for each registration required by this ordinance before commencing business. The application, which shall be submitted on forms provided by the City of Goldsboro City Administrator, shall contain:

- 1. The name of the owner, and if applicable the agent for the business, and a complete statement as to whether the agent is an individual, a partnership, a corporation, or some other entity.*
- 2. The nature of the business.*
- 3. The physical location of where the business is conducted.*
- 4. An address where notices and statements may be mailed to as required by this chapter.*
- 5. Whether the business is regulated by a state occupational licensing board subject to G.S. Chapter 93B, and if so, the serial number of the state registration the business or the agent for the business currently holds.*
- 6. Any other information the Administrator determines to be necessary to issue the registration, or otherwise regulate the business appropriately.*
- 7. The application shall be accompanied by the payment of a registration fee, which is described below. In compliance with state law, this fee shall not exceed the cost to the city of the administrative process of the production and issuance of the registration, or to otherwise monitor the business.*

(G) Reasons for refusal or revocation of a registration.

The Administrator shall refuse to issue a registration or may revoke a registration for either of the following reasons:

- 1. The owner or agent misrepresents a fact relevant to his or her qualifications for a registration.*
- 2. The owner or agent refuses to provide necessary information, as determined by the Administrator in his or her discretion.*

(H) Unqualified agents; right to a conference.

After receipt of the completed application, if the Administrator believes that a reason exists for refusing a registration, the Administrator shall not issue the registration. At the agent's request, the Administrator shall in accordance with this ordinance, give the owner or agent a written statement of the reason for refusing the registration. The owner or agent may, within ten days after the day the statement is received, request a conference to discuss the refusal. In the request, the owner or agent shall specify why the application for a registration should not be refused. The Administrator shall arrange the conference within three business days of receiving the request.

If the Administrator refuses to issue a registration, the owner or agent may reapply for a registration at any time thereafter. If the reason for which the application was refused no longer exists, and if no other reason exists for refusing to issue a registration, the Administrator shall issue the registration in compliance with this ordinance.

(I) Administrator to issue registration; payment of registration fee a prerequisite.

After receipt of the completed application and payment of the registration fee, if the Administrator believes that no reason

exists for refusal of a registration, the Administrator shall issue the registration.

(J) Registration fee.

The fee required of every owner or agent for any business conducted or engaged in within the city as required by this ordinance shall be \$20 annually. The fee shall in no case be more than the maximum permitted by North Carolina law for that particular business or enterprise.

(K) Revocation.

The Administrator may revoke a registration if a reason exists to revoke. Before revoking a registration, the Administrator shall give the person written notice of the grounds for revocation. The person may, within ten days after the day on which notice is mailed, request a conference with the Administrator in writing. The request shall specify the reasons why the registration should not be revoked. The Administrator shall arrange the conference within three business days of receiving the request.

If the person fails to request a conference within ten days after the day on which notice is mailed, the Administrator shall revoke the registration. If the person requests a conference, the Administrator may not revoke the registration until after the conference.

If the Administrator revokes a registration, the person whose registration has been revoked may apply for a new registration at any time thereafter. If the reason for which the registration was revoked no longer exists and if no other reason exists for refusing to issue a registration, the Administrator shall issue the registration in accordance with Section 14-98 of this chapter .

(L) Form and contents of registration.

A registration shall show the name of the person, and any agent who may act on the person's behalf, the place where the business is conducted (if it is to be conducted at one place), the nature of the business and the period for which the registration is issued. The Administrator shall keep an exact copy of each registration issued.

(M) Assignments.

A registration may be assigned if (1) a business under this ordinance and carried on at a fixed place is sold as a unit to any person and (2) the purchaser is to continue the same business at the same place. Such a change shall be reported to the Administrator in accordance with this ordinance.

Otherwise, each registration issued under this chapter is a separate registration and is not assignable.

(N) Record of conferences.

The Administrator shall maintain for three years a record of each conference held in accordance with this chapter. The record shall contain the agent's and person's name, the date of the conference, and a brief statement of the issues discussed and the result reached. After three years, the Administrator may dispose of the record in accordance with this ordinance.

(O) Duty to determine whether registration is required.

Each person or his/her designated agent has the duty to determine whether the business he or she conducts is required

to be registered under this ordinance, and if so, whether that registration has been obtained.

1. Administrator to investigate.

If the Administrator has reason to believe that a person is conducting a business in the city in violation of this ordinance, the Administrator shall conduct an investigation to determine the status of the business.

2. Duty to permit inspection.

Each person who conducts a business in the city shall permit the Administrator to inspect the business premises during normal business hours to determine the nature of the business conducted there.

3. Duty to post registration.

A business shall post the registration or registrations conspicuously in the place of business registered. If the person has a regular place of business, the registration must be kept where it may be inspected at all times by the proper city officials.

(P) Appeal.

Any agent/person refused or denied a registration under this Ordinance may appeal to the City Manager for review of such refusal or denial. Such appeal shall be in writing, and shall be delivered to the City Clerk within 30 days after notice of such refusal or denial has been sent or otherwise delivered to the agent/person.

110.22 ITINERANT PEDDLERS, SALESPERSONS, AND THE LIKE –
revise item (B) and (C) as follows:

(B) Registration. Any person above described shall, prior to the acquisition of their registration, register their name and their trade, fingerprints and photograph with the Police Department and furnish proof of such registration to the Revenue Collector.

(C) Exemption from tax. This section shall not apply to any person who is duly registered under the general statutes of the state and under the general tax code of the city.

110.23 PRIVATE EMPLOYMENT AGENCY – *Update to read as follows:*

The annual registration fee for a private employment agency operating solely within the state shall be \$20.

110.24 HOUSEMOVERS, HOUSEWRECKERS – *Update to read as follows:*

(A) Imposition of tax. Every person engaged within the city in the business of moving or wrecking houses or commercial buildings shall obtain, prior to any further operation, a registration in the sum of \$20 for each fiscal year.

(B) Permits and bonds. After the obtaining of registration required by this section, any person before entering into each operation shall obtain a permit from the City Building Inspector and post a bond, with sufficient sureties, or cash bond in lieu thereof, payable to the city in an amount deemed sufficient by the Building Inspector to insure that the premises on which the building is wrecked or removed or to which it is moved is left free

of any trash, wreckage or other debris caused by such wreckage or removal, and to insure against any damage done to any city property by any such operation.

Cross-reference – Delete

Staff recommended Council adopt the following entitled Ordinance amending Chapter 110: Licensing Provisions of the Code of Ordinance of the City of Goldsboro, North Carolina as indicated above. Consent Agenda Approval. Aycock/Broadaway (7 Ayes)

ORDINANCE NO. 2016-51 “AN ORDINANCE AMENDING CHAPTER 110: LICENSING PROVISION OF THE CODE OF ORDINANCE OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

Monthly Reports. Accepted as Information. The various departmental reports for the month of August 2016 were submitted for the Council’s approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Aycock/Broadaway (7 Ayes)

End of Consent Agenda.

CU-10-16 Nicky Parrish- West side of North William Street between Hooks River Road and Patetown Road. Denied. The applicant requests a Conditional Use Permit to allow the operation of a tattoo parlor.

Frontage: 208.20 ft.
Depth: 414.24 ft. (approx.) Area: 1.54 acres
Zoning: General Business

The site is located within a commercial center which contains The Playground, a barber shop and restaurant. The applicant proposes reopening his tattoo parlor which is located on the south side of the center. Council approved a Conditional Use Permit to operate a tattoo parlor at this location in 2010 with the following modifications:

- a. Modification of street tree and vehicular surface buffer planting; and
- b. Modification of sidewalks and payment of fee in lieu of sidewalk installation.

There are a total of 69 parking spaces (including three handicapped spaces) on the site.

Parking lot asphalt exists up to the North William Street right-of-way. As a result, there is no space available for planting along the street or within the parking lot or installation of sidewalks. A modification of both those requirements has been requested.

Hours of Operation: 12:00 Noon to 10:00 p.m.
(Tuesday - Saturday)
No. of Employees: 2

No change in access to the site has been indicated. Currently, the site is served by two curb cuts. The southernmost curb cut is shared with adjacent property and allows for only egress. The northernmost curb cut provides two-way ingress and egress.

At the public hearing held on August 15, 2016, no one appeared to speak either for or against this request.

The Planning Commission, at their meeting held on August 29, 2016, recommended approval of the request and submitted site plan with a modification of the vehicular surface buffer. Initially the Commission recommended requiring that the property owner pay a fee in lieu of sidewalk installation, however, funding has already been allocated for

the widening of North William Street in this location which includes installation of sidewalks.

On September 6, 2016, the Council deferred action on this request.

It was recommended Council accept the recommendation of the Planning Commission and:

1. Adopt an Order approving the Conditional Use Permit to allow the operation of a tattoo parlor ; and
2. Approve the submitted site and landscape plans with a modification of the vehicular surface buffer.

Upon motion of Councilmember Broadaway, seconded by Mayor Pro Tem Aycock and unanimously carried Council denied the conditional use permit. The Council finds that the request may materially endanger the public health or welfare due to concerns expressed from the Police Department citing a long and documented history of crime and violence within the development where the tattoo establishment proposes to locate. The City Councils wants to avoid uses that may not be in harmony with existing development in the area. Therefore, the Council finds that the proposed use will not be in compliance with the City's Unified Development Ordinance as it relates to items a. (Will materially endanger the public health or welfare) and c. (Will not be in harmony with existing development and uses within the area in which it is located).

CU-11-16 Zackell Perry- North side of East Ash Street between Slocumb Street and Leslie Street. Deferred. The applicant requests a Conditional Use Permit to allow the operation of a tattoo parlor.

Frontage:	50 ft.
Depth:	150ft.
Area:	7,500 sq. ft., or 0.17 acres
Zoning:	General Business

The site is occupied by a brick structure which most recently contained offices. The site has been vacant for several months.

The applicant currently operates another tattoo parlor which was approved by the City Council in 2012 at 2046 US Highway 117 South. While Mr. Perry intends to utilize the Ash Street location for offices, receptionist and waiting areas, a retail showroom, dressing room and restrooms, he has requested the Conditional Use Permit to allow one of the remaining rooms containing approximately 100 sq. ft. to be utilized for tattooing.

Hours of Operation: 11:00 a. m. to 11:00 p. m.
(Monday - Sunday)

No. of Employees: 1

Based on the size of office and retail uses within the building, approximately six parking spaces will be required for the site.

While only two paved parking spaces exist in front of the building, these spaces are not considered standard. A paved driveway just east of the building leads to an area behind the structure which could provide up to the required six paved parking spaces.

There is existing plant material along the western property line adjacent to the existing funeral home.

Due to space constraints, no plants are installed or proposed along the eastern property line.

At the public hearing held on August 15, 2016, one person representing the Church across Ash Street spoke against the request. The applicant appeared in favor and indicated that he would be willing to adjust the proposed hours of operation if necessary.

The Planning Commission, at their meeting held on August 29, 2016, recommended approval of the Conditional Use Permit request, however, they recommended that the applicant's hours of operation be limited to 1:00 p. m. to 11:00 p.m. on Sunday in order to avoid conflicts with the church located across Ash Street.

At their meeting held on September 6, 2016, Council deferred action on this request in order to allow staff to contact the church regarding the amended hours of operation. The Pastor of the church has indicated that the church has no objection to the request with the amended hours as recommended by the Planning Commission.

It was recommended Council accept the recommendation of the Planning Commission and:

1. Adopt an Order approving the Conditional Use Permit to allow the operation of a tattoo parlor; and
2. Approve the submitted development plans which indicate that hours of operation on Sunday will be limited to 1:00 p. m. to 11:00 p. m.

Upon motion of Councilmember Ham, seconded by Councilmember Broadaway and unanimously carried, Council deferred action on CU-11-16 Zackell Perry until a later date.

Upon motion of Mayor Pro Tem Aycock, seconded by Councilmember Broadaway and unanimously carried, Council recused Mayor Allen from voting on Z-4-16 David Perry - West side of North George Street between Vine Street and Holly Street (General Business to Office and Institutional-1) due to a conflict of interest.

Mayor Allen left the room at 8:48p.m.

Z-4-16 David Perry- West side of North George Street between Vine Street and Holly Street (General Business to Office and Institutional-1) . Denied without Prejudice. The applicant requests a change of zone from General Business to Office and Institutional-1 for the northernmost portion of the property which would include approximately half of the existing building and parking lot.

Frontage: 100ft.
Depth: 100ft. (approximately)
Area: 0.23 Acres

Surrounding Zoning: North: General Business
South: General Business
East: General Business
West: General Business

The property has been vacant for some time and was previously occupied by Smith Hardware. The building has recently been painted.

If rezoned to Office and Institutional-1, the applicant proposes to up-fit a portion of the building for use as a school. Prior to permitting, site and landscape plans will have to be submitted and approved by the Planning Commission and City Council. At that time, a determination of required parking and landscaping will be made.

The City's Comprehensive Land Use Plan designates this property for commercial development. This request would not be compatible with the City's Land Use Plan.

The property can be accessed by two existing curb cuts along North George Street.

City water and sanitary sewer lines are available to serve the subject property. The subject property is not located within a special flood hazard area.

At the public hearing initially held on July 18, 2016, the applicant requested that the hearing be continued.

On September 9, 2016, staff was contacted by the applicant who has indicated that he no longer wishes to pursue the change of zone request. He has now asked that the Council to deny the request without prejudice. If the applicant wishes to reapply in the future, he would not be subject to the six-month waiting period following denial.

Upon motion of Councilmember Broadaway, seconded by Councilmember Ham and unanimously carried, Council denied the request for rezoning without prejudice.

Mayor Allen returned at 8:50p.m.

City Manager's Report. Mr. Stevens stated he one he would like to mention to remember the City of Shelby and the family of the Police Officer killed within the last week. That could be any community in the country and certainly gets closer to home when it happened in North Carolina. Secondly Mayor, consider continuing this meeting to 4:30 p.m. on the 26th so we can talk about the street resurfacing list.

City Attorney's Report and Recommendations. No report.

Mayor and Councilmembers' Reports and Recommendations. Mayor Allen read the following Resolutions:

Resolution Expressing Appreciation for Services Rendered by Durwood Smith as an Employee of the City of Goldsboro for More Than 33 Years. Resolution Adopted. Durwood Smith retires on October 1, 2016 as a Fire Captain with the Goldsboro Fire Department of the City of Goldsboro with more than 33 years of service. Durwood began his career on August 24, 1983 as a Firefighter with the Goldsboro Fire Department. On July 24, 1991, Durwood was promoted to Fire Engineer with the Goldsboro Fire Department. On October 22, 1997, Durwood was promoted to Fire Captain with the Goldsboro Fire Department where he has served until his retirement. Durwood has proven himself to be a dedicated and efficient public servant who has gained the admiration and respect of his fellow worker s and the citizens of the City of Goldsboro. The Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, the other City officials and employees and the citizens of the City of Goldsboro, of expressing to Durwood Smith their deep appreciation and gratitude for the service rendered by him to the City over the years. We express to Durwood our deep appreciation and gratitude for the dedicated service rendered during his tenure with the City of Goldsboro. We offer Durwood our very best wishes for success, happiness, prosperity and good health in his future endeavors.

Upon motion of Councilmember Broadaway, seconded by Councilmember Stevens and unanimously carried Council adopted the following entitled Resolution.

RESOLUTION NO. 2016-71 "RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY DURWOOD SMITH AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 33 YEARS"

Resolution Expressing Appreciation for Services Rendered by Terry Cox as an Employee of the City of Goldsboro for More Than 24 Years. Resolution Adopted. Terry Cox retires on October 1, 2016 as a Streets and Storms Supervisor in the Public Works Department of the City of Goldsboro with more than 24 years of service. Terry began his career on April 1, 1992 as a Utilities Maintenance Worker I in the Public Works Department. On February 2, 1994, Terry was promoted to Equipment Operator III in the Public Works Department. On August 24, 2005, Terry was promoted to Laborer Supervisor I in the Public Works Department. On March 8, 2006, Terry was promoted to Storm Drain Supervisor in the Public Works Department. On January 8, 2014, Terry 's title was changed to Streets and Storms Supervisor in the Public Works Department where he has served until his retirement. Terry has proven himself to be a dedicated and efficient public servant who has gained the admiration and respect of his fellow workers and the citizens of the City of Goldsboro. The Mayor and City Council of

the City of Goldsboro are desirous, on behalf of themselves, the other City officials and employees and the citizens of the City of Goldsboro, of expressing to Terry Cox their deep appreciation and gratitude for the service rendered by him to the City over the years. We express to Terry Cox our deep appreciation and gratitude for the dedicated service rendered during his tenure with the City of Goldsboro. We offer Terry our very best wishes for success, happiness, prosperity and good health in his future endeavors.

Upon motion of Mayor Pro Tem Aycock, seconded by Councilmember Broadaway and unanimously carried, Council adopted the following Resolution.

RESOLUTION NO. 2016-72 "RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY TERRY COX AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 24 YEARS"

Mayor Pro Tem Aycock read the following Proclamation:

Proclamation- Constitution Week. Mayor Allen proclaimed the week of September 17 through 23 as "CONSTITUTION WEEK" in Goldsboro, North Carolina and ask our citizens to reaffirm the ideals that the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

Councilmember Williams read the following Proclamation:

Proclamation - Diversity Day. The City of Goldsboro, County of Wayne, Seymour Johnson Air Force Base, Community Affairs Commission, and Martin Luther King, Jr. Holiday Commission recommends that on September 29, 2016 individual residents of Wayne County have a meal, coffee or tea with an individual of another race, ethnicity, religion, or culture to build deeper relationships and explore how to build greater inter-group relationships and inter-group trust one friendship at a time, in recognition of Diversity Day. Mayor Allen proclaimed September 29, 2016 as "Diversity Day" in the City of Goldsboro.

Mayor Allen encouraged everyone to do just as it said on September 29th although you do not have to wait until then.

Councilmember Stevens stated there is a young lady that is coming to the Paramount, Ms. Nnenna Freelon, I encourage you to purchase your tickets; she is a Goldsboro native. He thanked Ms. Selena Bennett and shared he got to visit Goldsboro High School. He stated I did not know they had introduction to broadcast journalism at the school. There are a lot of really great things going on, I hope you will support Goldsboro High School and be a mentor.

Councilmember Broadaway had no comments.

Councilmember Williams stated do not let this Proclamation just be a piece of paper. Diversity is really important in this City and we really need to come together.

Councilmember Aycock stated one thing he needs to clear up, an issue that was brought up earlier about a solar farm, my family actually did lease land to a solar company but the only ones who lived around it was my family.

Councilmember Foster had no comments.

Councilmember Ham shared he was honored to attend 2 events Saturday. One was at the home of Mr. Dennis Lewis who had posted 41 crosses in his yard to commemorate the POW/MIA Anniversary. He is a tremendous patriot and a great asset to our community. He stated he also attended the Air Force Ball and Colonel Sage and others were very complimentary on the relationship between the Goldsboro community and Seymour Johnson Air Force Base. I was proud to represent Goldsboro.

There being no further business, the meeting was recessed until September 26, 2016 at 4:30 p.m. in Council Chambers.

Chuck Allen
Mayor

Melissa Corser, MMC
City Clerk